

**Agricultural Marketing Service, USDA**

**§ 29.2407**

**§ 29.2394 Rule 3.**

In drawing an official sample from a hogshead or other package of tobacco, two or more breaks shall be made at such points and in such manner as the inspector or sampler may find necessary to determine the kinds of tobacco and the percentage of each kind contained in the lot. All breaks shall be made so that the tobacco contained in the center of the package is visible to the sampler. Tobacco shall be drawn from at least two breaks from which a representative sample shall be selected.

**§ 29.2395 Rule 4.**

All standard grades must be clean.

**§ 29.2396 Rule 5.**

The grade assigned to any lot of tobacco shall be a true representation of the tobacco at the time of inspection and certification. If, at any time, it is found that a lot of tobacco does not comply with the specifications of the grade previously assigned it shall not thereafter be represented as such grade.

**§ 29.2397 Rule 6.**

A lot of tobacco on the marginal line between two colors shall be placed in the color with which it best corresponds with respect to body or other associated elements of quality.

**§ 29.2398 Rule 7.**

Any lot of tobacco which meets the specifications of two grades shall be placed in the higher grade. Any lot of tobacco on the marginal line between two grades shall be placed in the lower grade.

**§ 29.2399 Rule 8.**

A lot of tobacco meets the specifications of a grade when it is not lower in any degree of any element of quality than the minimum specifications of such grade.

**§ 29.2400 Rule 9.**

In determining the grade of a lot of tobacco, the lot as a whole shall be considered. Minor irregularities which do not affect over 1 percent of the tobacco shall be overlooked.

**§ 29.2401 Rule 10.**

Any special factor symbol approved by the Director of the Tobacco Division, Agricultural Marketing Service, may be used after a grademark to show a peculiar side or characteristic of the tobacco which tends to modify the grade.

**§ 29.2402 Rule 11.**

Interpretations, the use of specifications, and the meaning of terms shall be in accordance with determinations or clarifications made by the Chief of the Standards and Testing Branch and approved by the Director.

**§ 29.2403 Rule 12.**

The use of any grade may be restricted by the Director during any marketing season, when it is found that the grade is not needed or appears in insufficient volume to justify its use.

**§ 29.2404 Rule 13.**

Length shall be stated in connection with each grade of the A, B and C groups and may be stated in connection with the grades of other groups. The standard tobacco sizes shall be used.

[51 FR 40406, Nov. 7, 1986]

**§ 29.2405 Rule 14.**

The standard tobacco size 2 shall be used to designate X group tobacco of M or G color when such tobacco is 20 inches or over in length.

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**§ 29.2406 Rule 15.**

Uniformity shall be expressed in percentages. These percentages shall govern the portion of a lot which must meet each specification of the grade. The minor portion must be closely related but may be of a different group, quality, and color from the major portion. Specified percentages of uniformity shall not affect limitations established by other rules.

**§ 29.2407 Rule 16.**

Injury tolerance shall be expressed in percentages. The appraisal of injury shall be based upon the percentage of